



Practitioner's Docket No. 32887.253200

Appln. No. 09/776,984  
Express Mail Cert. No. EL 834 335 305 US  
**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Ponasik et al.  
Application No.: 09/776,984    Group No.: 1755  
Filed: 02/05/2001    Examiner: not assigned  
For: Catalyst Compositions for the Polymerization of Olefins

Assistant Commissioner for Patents  
Washington, D.C. 20231

**RECEIVED**

**JUN 18 2001**

**OFFICE OF PETITIONS**

**PETITION TO ESTABLISH PRIOR RECEIPT IN THE P.T.O.  
OF ITEM(S) CONSIDERED AS OMITTED BY THE P.T.O.  
--RESPONSE TO "NOTICE OF OMITTED ITEMS"**

1. This is in response to the "NOTICE OF OMITTED ITEMS" mailed for this application on April 16, 2001. A copy of the "NOTICE OF OMITTED ITEMS" is enclosed.
2. Applicant asserts that the items indicated as omitted were in fact deposited with the P.T.O. with the original application papers filed on February 5, 2001.
3. Applicant hereby:
  - A. Petitions under 37 Section 1.53(e) for a review of the determination that the items in issue were omitted;
  - B. Submits the petition fee under 37 Section 1.17(h); and
  - C. Submits the attached evidence of the deposit of the items in issue.
4. For the convenience of the Patent Office, Applicant has enclosed a duplicate of the page (page 18) that the Patent Office determined was omitted.

06/18/2001 GTEFFERA 00000029 09776984

01 FC:122                      130.00 OP

Payment Date: 06/24/2001 LG1825  
06/18/2001 GTEFFERA 00000029 09776984  
01 FC:122                      -130.00 OP  
Re: 09/776,984 03/21/2001 LG1825    0010541300  
DOE: 0010541300 Name/Number: 09776984  
FC: 764                      \$130.00 CR

(Petition to Establish Prior Receipt in the PTO of Item(s) Considered as Omitted  
by the PTO--Response to "Notice of Omitted Items"--page 1 of 3)

5. Fee Payment

This is a **nonprovisional** application.

The petition fee, 37 Section 1.17(h), is paid as follows:

A check is attached in the sum of . . . . . \$ 130.00

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OFFICE OF PETITIONS

Please charge Account 16-1435 for any fee deficiency for this petition. A duplicate of this sheet is attached for that purpose.

6. Request for Refund

It is respectfully requested that, upon grant of the petition under 37 C.F.R. Section 1.53(e), the petition fee be refunded by payment of refund by check.

Date: 6/14/01

J. Jason Link (Reg. No. 44,874) for  
Charles W. Calkins  
(Reg. No. 31,814)

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BEST AVAILABLE COPY

UNITED STATES PATENT & TRADEMARK OFFICE  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND			
1 Date of Request: <u>7/8/01</u>		2 Serial/Patent # <u>09/776,984</u>	
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED
	Filing		6 AMOUNT
	Amendment		\$
	Extension of Time		\$
	Notice of Appeal/Appeal		\$
X	Petition	3	6/14/01 \$ 130.00
	Issue		\$
	Cert of Correction/Terminal Disc.		\$
	Maintenance		\$
	Assignment		\$
	Other		\$
		7 TOTAL AMOUNT OF REFUND \$ 130.00	
10 REASON:		8 TO BE REFUNDED BY:	
	Overpayment	Treasury Check	
	Duplicate Payment	Credit Deposit A/C #:	
X	No Fee Due (Explanation):	9 1 6 -- 1 4 3 5	
Petition GRANTED.			
11 REFUND REQUESTED BY:			
TYPED/PRINTED NAME: <u>CHARLEMA GRANT</u>		TITLE: <u>ATTORNEY</u>	
SIGNATURE: <u>Charlema Grant</u>		PHONE: <u>306-0251</u>	
OFFICE: <u>Peterson</u>			
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****			
APPROVED: <u>Hana Chase</u>		DATE: <u>8-24-01</u>	

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to: